

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79292

Kazutoshi SAKURAI, et al.

Appln. No.: 10/776,185

Group Art Unit: 1657

Confirmation No.: 3077

Examiner: Kailash C. SRIVASTAVA

Filed: February 12, 2004

For: **METHODS OF JUDGING MOUTH ODOR**

EXPRESS ABANDONMENT UNDER 37 CFR § 1.138

TO: MAIL STOP EXPRESS ABANDONMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants expressly abandon the present application because claim 5 of the present application is identical to claim 5 of U.S. Patent 6,723,501 Sakurai et al and even a terminal disclaimer would be ineffective since there would be an exact-type double patenting rejection posed.

Respectfully submitted,

/Peter D. Olexy/

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